APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
MIRZA, ADNAN M

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 11/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
> - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
> - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *19 September 2000* .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-30* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-30* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *19 September 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)		4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .		6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asano (U.S.

6,477,577) and Hrastar et al (U.S. 6,529,517).

As per claims 1,11,21 Asano disclosed a method for setting a value within a type of service field

in an Internet Protocol (IP) data gram in accordance with an application level protocol at which

said IP data gram is transported within a socks connections from a source application that resides

within a source device to a destination application that resides within a destination device (col. 6,

lines 39-48), said method comprising the steps of: determining a source device address of said

source device; determining a destination device address of said destination device (col. 7, lines

26-41);

However Asano did not disclose in details determining a source application level protocol for

said source device application; determining a destination application level protocol for said

destination application; determining a type of service value from a first table, wherein for said

socks connection said first table includes: said determined source device address; said

determined destination device address; said determined source application level protocol; and

said determined destination application level protocol; and writing said determined type of service value into said type of service field of said IP data gram.

In the same field of endeavor Hrastar disclosed when an Internet packet is in a given physical network, it is transported in the same fashion that the transports any kind of data. For example, one common kind of physical network is a LAN that uses the 10 base T protocol. One example of such a LAN is a LAN that uses the Ethernet protocol developed by Xerox Corporation. In the Ethernet protocol, data moves in packets called frames. Each frame has a preamble, a destination Ethernet address, a source Ethernet address, an Ethernet type field, which specifies a type of protocol, a data field, which carries the data, and a frame check sequence, which is an error checking code. When Ethernet frame is carrying an IP data gram, IP data gram simple occupies data field. It is worth pointing out here that the Ethernet protocol does not examine the contents of IP data gram. There may of course be many levels of protocols between an IP data gram and the physical medium upon which the IP data gram is being transported. In the following, only the next level down from the IP level is of concern, and this level is termed generically the link level, with addresses at that level being termed link addresses (col. 5, lines 5-29).

It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have incorporated determining a source application level protocol for said source device application; determining a destination application level protocol for said destination application; determining a type of service value from a first table, wherein for said socks connection said first table includes: said determined source device address; said determined

destination device address; said determined source application level protocol; and said

determined destination application level protocol; and writing said determined type of service

value into said type of service field of said IP data gram as taught by Hrastar in the method of

Asano to resolve the problem such that the informal address or local address of the host to be

connected and the formal address of the connection substitute server of the organization to be

connected have to be manually examined and the formal address of the connection substitute

server has to be reset each time by a partner destination to be connected.

3.   As per claims 2,12,13 Asano-Hrastar disclosed wherein said IP data gram comprises an

IP header that includes a source IP address field and a destination IP address field, said IP data

gram further comprising a source port field and a destination port field, said method further

comprising the steps of: determining said source device address by reading said source device

address from said source IP address field; determining said destination device address byreading

said destination device address from said destination IP address field; determining said source

application level protocol by reading a source application address from said source is port field;

determining said destination application level protocol by reading adestination application

address is from said destination port field (Hrastar, col. 5, lines 5-29).

4.   As per claims 3,13,23 Asano-Hrastar disclosed wherein said IP data gram comprises a

header checksum field, and wherein said step of writing said type of service value in said type of

service field further comprises the steps of: computing a value of a header checksum for said IP

data gram according to type of service value; and writing said computed value into said header

checksum field (Hrastar, col. 10, lines 26-41).

5.   As per claims 4,14,24 Asano-Hrastar disclosed wherein said step of determining a type

of service value is preceded by the steps of determining whether or not said IP data gram is a

connect message for establishing a new socks connection; in response to determining that said IP

data gram is a connect message: updating said first table in accordance with said new socks

connection utilizing said source device address, said destination device address (Asano, col. 7,

lines 26-41), said source application level protocol, and said destination application level

protocol; determining said application level protocol from said IP data gram determining a type

of service value for said connect message utilizing a type of service value it a second table,

wherein said second table includes a type of service value for said application level protocol; and

associating said socks connection with said type of service value within said first table (Asano,

col. 13, lines 1-26).

6.   As per claims 5,15,25 Asano-Hrastar disclosed further comprising the steps a of

configuring said second table; and defining a default type of service value for application level

protocols that are not defined in said second table (Hrastar, col. 16, lines 12-21).

7.   As per claims 6,16,26 Asano-Hrastar disclosed wherein said step of configuring said

second table further comprises the step of retrieving said second table from a server system

within a network (Hrastar, col. 16, lines 55-67).

8.   As per claims 7,17,27 Asano-Hrastar disclosed wherein said step of configuring said

second table further comprises the step of retrieving updates of said second table from said

server system within said network (Hrastar, col. 16, lines 55-67).

9.   As per claims 8,18,28 Asano-Hrastar disclosed wherein said step of configuring said

second table further comprises the step of delivering said second table from a server system

within a network (Hrastar, col. 16, lines 55-67).

10.   As per claims 9,19,29 Asano-Hrastar disclosed wherein said step of configuring said

second table further comprises the step of delivering updates of said second table from said

server system within said network (Hrastar, col. 15, lines 17-26).

11.   As per claims 10,20,30 Asano-Hrastar disclosed wherein said step of configuring said

second table further comprises the step of locally storing said second table and updates of said

second table within source device (Hrastar, col. 15, lines 17-26).

Conclusion

12.   Any inquiry concerning this communication or earlier communication from the examiner

should be directed to Adnan Mirza whose telephone number is (703)-305-4633.

13.   The examiner can normally be reached on Monday to Friday during normal business

hours.

       If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Dharia Rupal can be reached on (703)-305-4003. The fax for this group is (703)-746-

7239.

14.   The fax phone numbers for the organization where this application or proceeding is

assigned are as follows:

(703)-746-7239 (For Status Inquiries, Informal or Draft Communications, please label

"PROPOSED" or "DRAFT");

(703)-746-7239 (For Official Communications Intended for entry, please mark "EXPEDITED

PROCEDURE"),

(703)-746-7238 (For After Final Communications).

15.   Any Inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)-305-3900.

Any response to a final action should be mailed to:

BOX AF

Commissioner of Patents and Trademarks Washington, D.C.20231

Or faxed to:

Hand-delivered responses should be brought to 4th Floor Receptionist, Crystal Park II,

2021 Crystal Drive, Arlington, VA 22202.

AM

Adnan Mirza

Examiner

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER